



12-13-01

S &amp; C W

Practitioner's Docket No. 2001-0079.01

PATENT

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Denton, Gary Allen; Tungate, Jr., Stanley Coy  
Application No.: 09/965,264      Group No.: 2872  
Filed: September 27, 2001      Examiner:  
For: Method of Setting Laser Power and Developer Bias in an Electrophotographic Machine  
Based on an Estimated Intermediate Belt Reflectivity

Box Missing Parts  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

COMPLETION OF FILING REQUIREMENTS  
-- NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed November 6, 2001.

CERTIFICATION UNDER 37 C.F.R. § § 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231

☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Addressee" Mailing Label No. EK461572609 US.

☐ facsimile transmitted to the Patent and Trademark Office, 703 \_\_\_\_\_

Date: 12/11/01

Amy R. LeMay  
Signature

Amy R. LeMay  
Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

#### **DECLARATION OR OATH**

**II.** No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

#### **EXTENSION OF TIME**

**III.** The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### **TOTAL FEE DUE**

**IV.** Please see attached Fee Transmittal for Total Fee Due and Deposit Account information.

Date: December 11, 2001

  
\_\_\_\_\_  
John J. McArdle, Jr.  
Registration No. 26,770  
Lexmark International, Inc.  
Intellectual Property Law Department  
740 West New Circle Road  
Lexington, KY 40550  
859-232-3939  
Customer No. 021972



## UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 11 2001

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/965,264         | 09/27/2001          | Gary Allen Denton     | 2001-0079.01           |

 021972  
 LEXMARK INTERNATIONAL INC  
 INTELLECTUAL PROPERTY LAW DEPARTMENT  
 740 WEST NEW CIRCLE ROAD  
 LEXINGTON, KY 40550

CONFIRMATION NO. 3413

## FORMALITIES LETTER



\*OC000000007029504\*

Date Mailed: 11/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

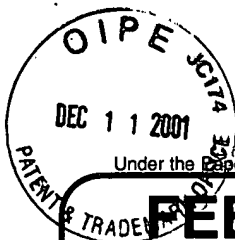
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/17/2001 CCHAU1 00000125 121213 09965264

01 FC:105 130.00 CH



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | 09/965,264         |
| Filing Date          | September 27, 2001 |
| First Named Inventor | Gary Allen Denton  |
| Examiner Name        |                    |
| Group Art Unit       | 2872               |
| Attorney Docket No.  | 2001-0079.01       |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 12-1213  
Deposit Account Name: Lexmark International, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 740      | 201          | 370      | Utility filing fee     |          |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 510      | 207          | 255      | Plant filing fee       |          |
| 108          | 740      | 208          | 370      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | -20** =      | X              |          |
| Independent Claims | -3** =       | X              |          |
| Multiple Dependent |              |                |          |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                     |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                          |
| 104          | 280      | 204          | 140      | Multiple dependent claim, if not paid                      |
| 109          | 84       | 209          | 42       | ** Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity                      |          | Small Entity |          | Fee Description  | Fee Paid |
|-----------------------------------|----------|--------------|----------|--|----------|
| Fee Code                          | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105                               | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127                               | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                               | 130      | 139          | 130      | Non-English specification  |          |
| 147                               | 2,520    | 147          | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112                               | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                               | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                               | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116                               | 400      | 216          | 200      | Extension for reply within second month                                    |          |
| 117                               | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118                               | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128                               | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119                               | 320      | 219          | 160      | Notice of Appeal   |          |
| 120                               | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |          |
| 121                               | 280      | 221          | 140      | Request for oral hearing   |          |
| 138                               | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                               | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141                               | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142                               | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143                               | 460      | 243          | 230      | Design issue fee   |          |
| 144                               | 620      | 244          | 310      | Plant issue fee  |          |
| 122                               | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123                               | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126                               | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581                               | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                               | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                               | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                               | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    |          |
| 169                               | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) Missing Parts |          |              |          |  | 130.00   |

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 130.00

## SUBMITTED BY

|                   |                      |                                   |                   |           |              |
|-------------------|----------------------|-----------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | John J. McArdle, Jr. | Registration No. (Attorney/Agent) | 26,770            | Telephone | 859-232-3939 |
| Signature         |                      | Date                              | December 11, 2001 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.